IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY PETITION NO. 332 OF 1987

M/s. Olympia Metal Pvt.Ltd. ... Petitioners.

V/s.

M/s. Gannon Pressure Vessels Ltd. ... Respondents.

....

None for the Petitioners.
Ms. A. Bhambhani i/b. Mahesh Jani & Co. for the Respondent.

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CORAM : DR. D.Y.CHANDRACHUD,J.

18th April 2007.

P.C. :

. Counsel appearing on behalf of the Respondent has stated that an Appeal filed by the Respondent against the order dated 12th July 1989 directing winding up of the Company was allowed by the Division Bench on 1st March 1993 and the Company Judge was directed to take up the Petition after the proceedings before the B.I.F.R. are over. Counsel appearing on behalf of the Respondent states that the Company is no longer before the B.I.F.R. and those proceedings have come to an end. The Petitioners and the Advocate are absent. The Company Petition is accordingly dismissed for want of prosecution.

2. The Division Bench had directed a deposit of an amount of Rs.62,050.80 while disposing of the Appeal. Counsel appearing on behalf of the Company has produced a letter dated 22nd February 1993 to the Prothonotary and Senior Master forwarding a pay slip dated 20th February 1993 bearing no.931139 drawn on the State of India in the amount of Rs.62,050.80. In that event, that the aforesaid amount, is found upon verification to have been deposited by the Respondent - Company, the Company would be entitled to refund of the amount alongwith the accrued interest, if any, thereon.